

Michigan Industrial Manufacturer Licensing Requirements & General Information

An “**Industrial Manufacturer**” license is issued by the Michigan Liquor Control Commission (“Commission”) to a person located in Michigan to secure alcohol (grain alcohol) and bulk alcoholic liquors (beer, wine or spirits) for exclusive use in manufacturing products for non-beverage purposes.

- MCL 436.1811

An **Industrial Manufacturer** License:

- License issued by the Commission to manufacturer items such as flavoring extracts, vinegar, food products, perfumes, herbal products, and other non-beverage products that require alcohol in the production process.
- Alcohol and bulk alcoholic liquor must be purchased from the Commission or a licensee of the Commission.
- \$10.00 annual license fee. License renews annually on May 1.
- Each shipment of alcohol must obtain a “Release of Alcohol or Alcoholic Beverages for Commercial Use” (Form LC/MW 836) from the Commission

How To Apply For An Industrial Manufacturer License:

Applicants for an Industrial Manufacturers license must submit the following documents:

- **LICENSE APPLICATION** - “Application for New License, or Application of Buyers For Transfer of Ownership or Interest in License” (Form LC-687). Additional documents are required for corporate, LLC & partnership applicants, as described on pages 2 & 3.
- **INSPECTION FEE** - A \$70.00 nonrefundable inspection fee is required to authorize the field investigation. (Check payable to “State of Michigan”).)

In addition to the preceding documents required by all applicants, **CORPORATIONS** shall submit the following information per Rule 436.1109:

- Copy of current, filed Articles of Incorporation.
- Current "Certificate of Good Standing" from the state where incorporated, if incorporated outside of this state.
- Certified copy of the minutes of a meeting of the Board of Directors which names the person or persons authorized to sign the application, bond and other papers on behalf of the corporation.
- “Report of Corporate Officers, Directors & Board of Directors” (Form LC-52).
- “Individual Stockholder/Corporate Stockholder Questionnaire” (Form LC-621), completed by each stockholder holding 10% or more stock interest.
- “Limited Partners, Stockholders & Members Statement” (Form LC-38), completed by each stockholder holding less than 10% stock interest.
- *Note:* All stockholders holding 10% or more corporate stock in applicant corporation will be required to be fingerprinted by local law enforcement agency. Enforcement Investigator will release necessary forms and instruct you to contact local law enforcement agency.

In addition to the LC-687 and other documents required by all applicants, **LIMITED LIABILITY COMPANIES (“LLC”)** shall submit the following information pursuant to Rule 436.1110:

- Copy of Articles of Organization and copies of any amendments to the Articles of Organization.
- Copy of Certificate of Authority to do business in Michigan, if the LLC is a non-Michigan LLC.
- Copy of Operating Agreement entered into by members.
- Copy of most recent annual statement filed with the Michigan Department of Consumer & Industry Services, Corporations and Securities Bureau. Newly organized LLC’s will not have filed any such document yet.
- “Report of Limited Liability Company Members, Managers and Assignees” (Form LC-52A).
- “Individual Stockholder or Corporate Stockholder Questionnaire” Form (LC-621), completed by each member holding 10% or more of the total interest in LLC. Also, Form LC-621 should be completed for an assignee of a membership interest or a manager with a percentage distribution of 10% or more in the LLC.
- “Limited Partners, Stockholders or Members Statement” (Form LC-38), completed by member holding less than 10% of the total interest in the LLC. Also, Form LC-38 should be completed for an assignee of a membership interest or a manager with a percentage distribution of less than 10% in the LLC.
- *Note:* All members holding 10% or more interest in LLC and assignees of membership interest or managers with 10% or more percentage distribution will be required to be fingerprinted by the local law enforcement agency. The Commission Enforcement Investigator will release the necessary forms and instruct you how to contact the appropriate agency.

In addition to the preceding documents required by all applicants, **PARTNERSHIPS** shall submit the following information per R436.1111:

- Partnership Agreement (required for limited partnerships).
- “Application for New Licenses or Application of Buyers for Transfer of Ownership or Interest in License” (Form LC-687) completed by each general partner.
- “Limited Partners, Stockholders or Members Statement” (Form LC-38), completed by each limited partner. In the case where the limited partner is a corporation or a limited liability company, an “Individual Stockholder or Corporate Stockholder Questionnaire” Form (LC-621), should be completed by each of the limited partners.
- *Note:* All general partners will be required to be fingerprinted by local law enforcement agency. Enforcement Investigator will release necessary forms and instruct you to contact local law enforcement agency.

Send all applications to: Michigan Liquor Control Commission
Manufacturers & Wholesalers Section
P.O. Box 30005
Lansing, MI 48909
(517) 322-1415
www.michigan.gov/lcc

Licensing Process:

An investigation for a new license or transfer of an existing license is initiated by the applicant submitting an “Application for New License, or Application of Buyers For Transfer of Ownership or Interest in License” (Form LC-687), and the appropriate corporate, LLC or partnership documents, and property document along with a \$70.00 inspection fee for each license applying for. Upon receipt of this information, the Commission’s Licensing Division will authorize an investigation and forward the file to the Commission’s Enforcement Division. An investigator from the Enforcement Division will contact the applicant; advise them of the documentation necessary to be provided for review; and schedule an appointment with the applicant(s) to conduct the investigation. The investigation will cover a variety of areas including but not limited to: ownership structure; background investigation of individuals; projected cost of the project/transaction; source of finances, including source of any money lender’s finances; present ownership verification; and physical inspection of the facility, if the physical premises is built and available for inspection. Upon completion of the investigation, the investigator will submit a report to the Commission.

The Commission investigator will also release forms and fingerprint cards to the local law enforcement agency. The local law enforcement agency’s investigation is independent of the Commission’s investigation. It is the responsibility of the applicant to follow-up with the local law enforcement agency to ensure that their recommendations are forwarded to the Commission.

The Commission will issue a formal order approving, denying or holding the application for additional information. The applicant will be advised of the Commission's decision, provided with a copy of the Commission’s order and, if approved, provided with a contract for signatures and a check sheet listing any additional requirements or documentation necessary to be submitted to the Commission prior to issuance of the license. If the application is denied, the applicant will have the opportunity to appeal the denial

License Fees:

\$10.00 – license is renewed annually. Licensing year is May 1 - April 30. The license fee may not be prorated for part-year licensure. License fee is payable upon MLCC approval of your application.

- MCL 436.1525

Sales/Purchase Records:

All licensees are required to keep all records pertaining to sales and purchases of alcoholic liquor for a minimum of 4 years.

- Rule 436.1007, Rule 436.1641, Rule 436.1727, Rule 436.1865

Release of Alcohol:

All shipment of alcohol and bulk alcoholic liquor must receive prior approval from the Commission in the form of an approved “Release of Alcoholic Beverages for Commercial Use”.

A supply of blank form will be provided to each Industrial Manufacturer upon licensure.

- Rule 436.1809, Rule 436.1815

How To Contact The Michigan Liquor Control Commission:

Questions relating to Industrial Manufacturer licenses and other non-retail licenses may be directed to:

Michigan Liquor Control Commission

Manufacturers & Wholesalers Section

P.O. Box 30005

Lansing, MI 48909

(517) 322-1415

(517) 322-5046 (fax)

Email: whiteheadt@michigan.gov

Website: www.michigan.gov/lcc